

Amendment No. 1 to HB1547

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 1661

House Bill No. 1547*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-417(c)(1), is amended by deleting the subdivision and substituting instead the following:

(A) Cocaine or methamphetamine is a Class B felony if the amount involved is point five (0.5) grams or more of any substance containing cocaine or methamphetamine and, in addition, may be fined not more than one hundred thousand dollars (\$100,000);

(B) Fentanyl, or an equipotent amount of carfentanil, sufentanil, remifentanil, or any analogue of fentanyl, is a Class B felony if the amount involved is one (1) gram or more but twenty (20) grams or less of fentanyl, or an equipotent amount of carfentanil, sufentanil, remifentanil, or any analogue of fentanyl and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); or

(C)

(1) Fentanyl, or an equipotent amount of carfentanil, sufentanil, remifentanil, or any analogue of fentanyl, is a Class A felony if the amount involved is more than twenty (20) grams of fentanyl, or an equipotent amount of carfentanil, sufentanil, remifentanil, or any analogue of fentanyl;

(2) In addition to the possible punishment for a Class A felony, a person convicted under this subdivision (c)(1)(C) may be fined not more than five hundred thousand dollars (\$500,000) and shall be required to serve one hundred percent (100%) of at least the minimum sentence imposed for the violation of this subdivision (c)(1)(C); and

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SECTION 2. Tennessee Code Annotated, Section 39-17-417, is amended by adding the following new subsection:

() A violation of this section with respect to a substance that is the combination of fentanyl, or an equipotent amount of carfentanil, sufentanil, remifentanil, or any analogue of fentanyl, and any other controlled substance shall be punished one (1) classification higher than provided in subsections (b)-(i).

SECTION 3. Tennessee Code Annotated, Section 39-17-418(c)(2), is amended by deleting the language "methamphetamine" and substituting instead the language "methamphetamine, fentanyl, or an equipotent amount of carfentanil, sufentanil, remifentanil, or any analogue of fentanyl".

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.